

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to reimbursement for targeted case management and case management and providing an opportunity for public comment

The Human Services Department hereby proposes to amend Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 249A.4 and 2018 Iowa Acts, Senate File 2418, section 132.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 249A.4 and 2018 Iowa Acts, Senate File 2418, section 132.

Purpose and Summary

These proposed amendments rescind rule language regarding fee for service with cost settlement for targeted case management (TCM). The amendments also revise the existing fee schedules for TCM and case management (CM) under the home- and community-based services waiver and habilitation programs.

TCM and CM provider agencies will no longer be required to submit an annual cost report. These amendments will allow the Department to standardize rates for TCM and CM provider agencies. These rates will apply only to members who are enrolled in Medicaid as fee for service.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 21, 2018. Comments should be directed to:

Harry Rossander
Bureau of Policy Coordination
Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: policyanalysis@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind and reserve paragraph **79.1(1)“d.”**

ITEM 2. Amend subrule **79.1(2)**, provider categories “HCBS waiver service providers,” “Home- and community-based habilitation services” and “Targeted case management providers,” as follows:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
HCBS waiver service providers, including:		Except as noted, limits apply to all waivers that cover the named provider.
1. to 16. No change.		
17. Case management	Fee for service with cost settlement. See 79.1(1)“d” <u>Fee schedule</u>	For brain injury and elderly waivers: Retrospective cost-settled rate. <u>Fee schedule in effect 7/1/18.</u>

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
18. to 35. No change.		
Home- and community-based habilitation services:		
1. Case management	<u>Fee schedule.</u> See 79.1(24) "d"	Retrospective cost settled rate. <u>Fee schedule in effect 7/1/18.</u>
2. to 5. No change.		
Targeted case management providers	Fee for service with cost settlement. See 79.1(1) "d." <u>Fee schedule</u>	Retrospective cost settled rate. <u>Fee schedule in effect 7/1/18.</u>

ITEM 3. Amend subrule 79.1(24) as follows:

79.1(24) Reimbursement for home- and community-based habilitation services. ~~Reimbursement for case management, job development, and employer development services provided prior to July 1, 2013, is based on a fee schedule developed using the methodology described in paragraph 79.1(1) "d."~~ ~~Reimbursement for home-based habilitation, day habilitation, prevocational habilitation, enhanced job search and supports to maintain employment services provided prior to July 1, 2013, is based on a retrospective cost-related rate calculated using the methodology in paragraphs 79.1(24) "b" and "c."~~ Reimbursement for all home- and community-based habilitation services provided on or after July 1, 2013 January 1, 2016, shall be as provided in paragraph 79.1(24) "d." All rates are subject to the upper limits established in subrule 79.1(2).

a. to c. No change.

d. Reimbursement for services provided on or after July 1, 2013 January 1, 2016.

~~(1) For dates of services July 1, 2013, through December 31, 2013, providers shall be reimbursed by the Iowa Plan for Behavioral Health contractor at the fee schedule or interim rate for the service and the provider in effect on June 30, 2013, with no retrospective adjustment or cost settlement. However, if a provider fails to submit a cost report for services provided prior to July 1, 2013, that meets the requirements of paragraph 79.1(24) "b," the Iowa Plan for Behavioral Health contractor shall reduce the provider's reimbursement rate to 76 percent of the rate in effect on June 30, 2013. The reduced rate shall be paid until acceptable cost reports for all services provided prior to July 1, 2013, have been received.~~

~~(2) For dates of services from January 1, 2014, through December 31, 2015, providers shall be reimbursed by the Iowa Plan for Behavioral Health contractor at the rate negotiated by the provider and the contractor. However, if a provider fails to submit a cost report for services provided prior to July 1, 2013, that meets the requirements of paragraph 79.1(24) "b," the Iowa Plan for Behavioral Health contractor shall reduce the provider's reimbursement rate to 76 percent of the negotiated rate. The reduced rate shall be paid until acceptable cost reports for all services provided prior to July 1, 2013, have been received.~~

~~(3) (1)~~ (1) For dates of services on or after January 1, 2016, providers habilitation services, except for case management, shall be reimbursed by fee schedule. Case management will continue to be reimbursed by retrospective cost settlement.

(2) For dates of services on or after July 1, 2018, case management services shall be reimbursed by fee schedule.